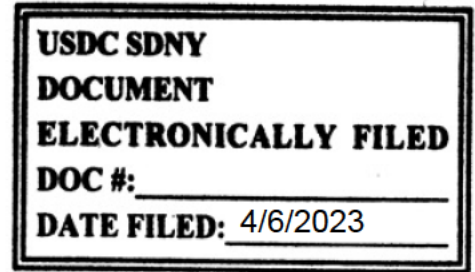


# Rickner PLLC

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April 5, 2023

**Via ECF**

Hon. Robert W. Lehrburger  
U.S. Magistrate Judge  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007

Re: *Gonzalez v. City of New York et al.*, 22-cv-09499-JLR-RWL

Dear Judge Lehrburger,

We represent the Plaintiff in the above-captioned action and write to request an amendment to the 1983 plan to allow for mediation to be conducted at the end of discovery.

Pursuant to the 1983 Plan, Plaintiff served a written settlement demand and the City provided its offer within the prescribed timeframe. The parties also conducted preliminary discovery and met with the assigned mediator to discuss potential settlement. During the initial conversation with the mediator, Plaintiff made clear that it would not be productive for the City to offer an amount significantly far from the initial demand; Both the City's attorney and the mediator appeared to agree.

Although this meeting and the initial exchanges between the parties have been valuable, the City made a marginal offer that is vastly far from Plaintiff's initial demand. For this reason, it seems extremely unlikely that the parties will reach settlement at this juncture.

Plaintiff believes that going forward with discovery would be more productive than delaying the case for mediation, which will only act to delay the case entirely. Plaintiff further believes the most efficient route to resolution is to finish discovery and schedule mediation after the parties have testified. We asked Defendants and they did not consent.

We thank the Court for its consideration of this request.

Respectfully,

/s/

Sara Wolkensdorfer

Request denied. The parties shall proceed to mediation.

SO ORDERED:

4/6/2023

A handwritten signature in black ink, appearing to be "R. Lehrburger", written over a horizontal line.

HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE